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I need to know the disposition of the following litigation:

MCI Communications Corporation v. Dataline, Inc.
Civil Action No. 01CV3849
Filed on May 4, 2001
US District Court of Southern District of New York

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Last Modified: 07/08/2002 08:57:40

MCI COMMUNICATIONS CORPORATION,
Plaintiff, - against - DATALINE, INC.,
Defendant.
01 Civ. 3849(LAP)(DFE)

# UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OFNEW YORK

2001 U.S. Dist. LEXIS 18144

October 29, 2001, Decided October 30, 2001, Filed

DISPOSITION: Court directed defendant to produce documents to plaintiff in discovery.

COUNSEL: [\*1] For MCI COMMUNICATIONS CORPORATION, plaintiff: David E. De Lorenzi, Gibbons, Del Deo, Dolan, Griffinger & Vecchione, P.C., New York, NY.

JUDGES: DOUGLAS F. EATON, United States Magistrate Judge.

OPINIONBY: DOUGLAS F. EATON

OPINION: MEMORANDUM AND ORDER

DOUGLAS F. EATON, United States Magistrate Judge.

The 1993 Amendments to Rule 26(a)(2), F.R.Civ.P., and the Advisory Committee Notes, clearly warned that an attorney cannot claim work-product privilege for documents which the attorney supplies to an expert witness. Nevertheless, in the patent infringement case at bar, the defendant's attorney asserts such a claim. The plaintiff cites Judge Motley's opinion in B.C.F. Oil Refining v. Consol. Edison Co. of N.Y., 171 F.R.D. 57, 63-67 (S.D.N.Y. 1997). The defendant cites Magee v. Paul Revere Life Ins. Co., 172 F.R.D. 627, 641-43 (E.D.N.Y. 1997)(Orenstein, M.J.), which came to the opposite conclusion two months later but without citing B.C.F. Oil.

I disagree with the reasoning of Magee, which I find to be refuted by B.C.F. Oil; by W.R. Grace & Co.-Conn. v. Zotos International, Inc., 2000 U.S. Dist. LEXIS

18096, 2000 WL 1843258, \*3-5 (W.D.N.Y. Nov. 2, 2000)(Foschio, [\*2] M.J.); by Suskind v. Home Depot Corporation, 2001 U.S. Dist. LEXIS 1349, 2001 WL 92183 (D.Mass. Jan. 2, 2001)(Collings, M.J.)(a thorough collection of the authorities); and by In Re Pioneer Hi-Bred Intern., Inc., 238 F.3d 1370, 1375 (Fed. Cir. 2001).

The defendant asks plaintiff to wait until the expert testifies and asserts that he did not "rely" on the withheld documents. But the phrase in Rule 26(a)(2)(B) is "information considered by the witness in forming the opinions," and the Advisory Committee Notes say "materials furnished to their experts to be used in forming their opinions - - whether or not ultimately relied upon by the expert."

For the reasons stated at length in the cited cases, I direct the defendant to produce to plaintiff, by October 30, 2001, the 28 documents described on the privilege log enclosed with defendant's October 26 letter to me. Several of those documents were apparently written by the expert and sent to defendant's attorney. Even prior to 1993, documents generated by experts were not protected by the work product doctrine. B.C.F. Oil, 171 F.R.D. at 62. Unless the parties agree otherwise, the documents are to be produced by fax, [\*3] since the deposition of the expert is imminent.

**DOUGLAS F. EATON** 

United States Magistrate Judge

Dated: New York, New York

October 29, 2001

V MID ST

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Items File
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            2: INSPEC 1969-2002/Jul W3
            8: Ei Compendex(R) 1970-2002/Jul W2
             9: Business & Industry(R) Jul/1994-2002/Jul 24
       19
             13: BAMP 2002/Jul W2
             15: ABI/Inform(R) 1971-2002/Jul 24
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             16: Gale Group PROMT(R) 1990-2002/Jul 25
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             21: NCJRS 1972-2002/Jun
             34: SciSearch(R) Cited Ref Sci 1990-2002/Jul W4
             36: Ling. & Lang. Behav. Abs 1973-2002/Q2
             47: Gale Group Magazine DB(TM) 1959-2002/Jul 25
Examined 50 files
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            112: UBM Industry News 1998-2002/\overline{Jul} 25
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            144: Pascal 1973-2002/Jul W3
            147: The Kansas City Star_1995-2002/Jul 22
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            148: Gale Group Trade & Industry DB_1976-2002/Jul 25
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            348: EUROPEAN PATENTS_1978-2002/Jul W02
            349: PCT FULLTEXT_1983-2002/UB=20020718,UT=20020711
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            436: Humanities Abs Full Text 1984-2002/Jun
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            484: Periodical Abs Plustext_1986-2002/Aug W3
           485: Accounting & Tax DB_1971-2002/Jul W1
           488: Duluth News-Tribune 1995-2002/Jul 24
           492: Arizona Repub/Phoenix Gaz 19862002/Jan 06
           494: St LouisPost-Dispatch 1988-2002/Jul 24
            497: (Ft.Lauderdale)Sun-Sentinel 1988-2002/Jul 25
           505: Asian Co. Profiles 2002/Jul
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           541: SEC Online (TM) Annual Repts_1997/Sep W3
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542: SEC Online(TM) 10-K Reports\_1997/Sep W3

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            553: Wilson Bus. Abs. FullText 1982-2002/May
            559: CORPTECH Dir of Tech Companies 2000/Aug
            563: Key Note Market Res. 1986-2001/Aug 03
            570: Gale Group MARS(R) 1984-2002/Jul 25
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            577: Roanoke Times_1992-2002/Jul 24
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            632: Chicago Tribune_1985-_2002/Jul 25
            634: San Jose Mercury_ Jun 1985-2002/Jul 24
            635: Business Dateline(R) 1985-2002/Jul 25
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            636: Gale Group Newsletter DB(TM) 1987-2002/Jul 25
            637: Journal of Commerce_1986-2002/Jul 22
            638: Newsday/New York Newsday_1987-2002/Jul 24
            641: Rocky Mountain News Jun 1989-2002/Jul 22
            643: Grand Forks Herald 1995-2002/Jul 24
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            645: Contra Costa Papers 1995- 2002/Jul 23
            646: Consumer Reports 1982-2002/Jul
            647: CMP Computer Fulltext_1988-2002/Jul W3
            648: TV and Radio Transcripts 1997-2002/Jul W3
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            705: The Orlando Sentinel_1988-2002/Jul 25
            707: The Seattle Times_1989-2002/Jul 24
            709: Richmond Times-Disp._1989-2002/Jul 24
            710: Times/Sun.Times(London)_Jun 1988-2002/Jul 24
            711: Independent (London) Sep 1988-2002/Jul 24
       57
            713: Atlanta J/Const. 1989-2002/Jul 25
            716: Daily News Of L.A. 1989-2002/Jul 24
            717: The Washington Times_Jun 1989-2002/Jul 24
            719: (Albany) The Times Union Mar 1986-2002/Jul 24
            721: Lexington Hrld.-Ldr. 1990-2002/Jul 24
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            722: Cincinnati/Kentucky Post_1990-2002/Jul 24
            724: (Minneapolis) Star Tribune 1989-1996/Feb 04
            725: (Cleveland) Plain Dealer_Aug 1991-2000/Dec 13
            727: Canadian Newspapers_1990-2002/Jul 25
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            728: Asia/Pac News_1994-\overline{2}002/Jul W3
            731: Philad.Dly.News_1983- 2002/Jul 19
            732: San Francisco Exam._1990- 2000/Nov 21
            735: St. Petersburg Times_1989- 2000/Nov 01
            736: Seattle Post-Int._1990-2002/Jul 23
            738: (Allentown) The Morning Call_1990-2002/Jul 24
            739: The Fresno Bee_1990-2002/Jul 11
           740: (Memphis) Comm. Appeal_1990-2002/Jul 24
           742: (Madison) Cap. Tim/Wi.St.J 1990-2002/Jul 24
           743: (New Jersey) The Record 1989-2002/Jul 24
           747: Newport News Daily Press 1994-2002/Jul 24
           755: New Zealand Newspapers_1995-2002/Jul 24
           757: Mirror Publications/Independent
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spapers\_2000-2002/Jul 25

1 764: BCC Market Research 1989-2002/Jul

2 765: Frost & Sullivan\_1992-1999/Apr

### Examined 550 files

44 781: ProQuest Newsstand\_1998-2002/Jul 25

24 810: Business Wire 1986-1999/Feb 28

49 813: PR Newswire\_1987-1999/Apr 30

2 816: Canada NewsWire\_1996-1999/Jun 24

1 929: Albuquerque Newspapers\_1995-2002/Jul 24

17 990: NewsRoom Current\_2002/Jul 25

131 files have one or more items; file list includes 569 files.

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s display in an abbreviated **
*** DIALINDEX search resu
*** format unless you enter the SET DETAIL ON command. ***
?sf all
   You have 565 files in your file list.
   (To see banners, use SHOW FILES command)
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Your SELECT statement is:
   s katz and merani
          Items
                 File
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      Examined 50 files
      Examined 100 files
      Examined 150 files
      Examined 200 files
      Examined 250 files
      Examined 300 files
              1 453: Drugs of the Future_1990-2002/Jun
       Examined 350 files
       Examined 400 files
       Examined 450 files
               2 702: Miami Herald_1983-2002/Jul 24
       Examined 500 files
                  727: Canadian Newspapers 1990-2002/Jul 25
                  735: St. Petersburg Times_1989- 2000/Nov 01
               1
       Examined 550 files
   4 files have one or more items; file list includes 565 files.
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     $5.06 Estimated cost this search
     $5.36 Estimated total session cost 2.729 DialUnits
SYSTEM:OS - DIALOG OneSearch
  File 702:Miami Herald 1983-2002/Jul 24
         (c) 2002 The Miami Herald Publishing Co.
  File 727: Canadian Newspapers 1990-2002/Jul 25
         (c) 2002 Southam Inc.
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     $0.43 TELNET
     $2.05 Estimated cost this search
   $108.58 Estimated total session cost 25.130 DialUnits
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 File 485:Accounting & Tax DB 1971-2002/Jul W1
         (c) 2002 ProQuest Info&Learning
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              46 20: Dialog Global Reporter 1997-2002/Jul 25
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                   112: UBM Industry News 1998-2002/Jul 25
                   120: U.S. Copyrights 1978-2002/Jul
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       Examined 150 files
               1 262: CBCA Fulltext_1982-2002/Jul
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               1 275: Gale Group Computer DB(TM) 1983-2002/Jul 25
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                  416: DIALOG COMPANY NAME FINDER (TM) 2001/Aug
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                 477: Irish Times 1999-2002/Jul 25
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                  484: Periodical Abs Plustext 1986-2002/Aug W3
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                  725: (Cleveland) Plain Dealer_Aug 1991-2000/Dec 13
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                        Newspapers 2000-2002/Jul 25
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781: Pouest Newsstand\_1998-2002/Jul 2810: Business Wire\_1986-1999/Feb 28 31

813: PR Newswire\_1987-1999/Apr 30 980: Sarasota Herald-Tribune\_1996-2002/Jul 24

16 990: NewsRoom Current\_2002/Jul 25

57 files have one or more items; file list includes 569 files.

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      154
            635: Business Dateline(R) 1985-2002/Jul 25
       44
            636: Gale Group Newsletter DB(TM) 1987-2002/Jul 25
            638: Newsday/New York Newsday 1987-2002/Jul 24
       25
            640: San Francisco Chronicle 1988-2002/Jul 25
            641: Rocky Mountain News Jun 1989-2002/Jul 22
       22
            642: The Charlotte Observer 1988-2002/Jul 24
            643: Grand Forks Herald_1995-2002/Jul 24
Examined 450 files
            644: (Boulder) Daily Camera_1995-2002/Jul 19
            645: Contra Costa Papers_1995- 2002/Jul 23
            647: CMP Computer Fulltext_1988-2002/Jul W3
            648: TV and Radio Transcripts_1997-2002/Jul W3
            649: Gale Group Newswire ASAP(TM)_2002/Jul 24
            652: US Patents Fulltext 1971-1975
       61
            654: US PAT.FULL. 1976-2002/Jul 23
      402
            660: Federal News Service_1991-2002/Jun 20
            674: Computer News Fulltext_1989-2002/Jul W3
           684: Bradenton Herald_1992-2002/Jul 21
           696: DIALOG Telecom. Newsletters_1995-2002/Jul 24
      13
           701: St Paul Pioneer Pr Apr 1988-2002/Jul 21
           702: Miami Herald_1983-2002/Jul 24
           703: USA Today_1989-2002/Jul 24
           704: (Portland) The Oregonian_1989-2002/Jul 24
```

```
26
                    Orlando Sentinel 1988-2002/Jul
            705: I
            706: (New Orleans) Times Picayune 1989-2000/Sep 15
       10
            707: The Seattle Times 1989-2002/Jul 24
       11
            708: Akron Beacon Journal_1989-2002/Jul 21
       15
            709: Richmond Times-Disp. 1989-2002/Jul 24
            710: Times/Sun.Times(London) Jun 1988-2002/Jul 24
        4
            711: Independent (London) Sep 1988-2002/Jul 24
       18
            712: Palm Beach Post 1989-2002/Jul 09
       15
            713: Atlanta J/Const. 1989-2002/Jul 25
       16
            714: (Baltimore) The Sun 1990-2002/Jul 21
       1
            715: Christian Sci.Mon. 1989-2002/Jul 25
       12
            716: Daily News Of L.A. 1989-2002/Jul 24
       13
            717: The Washington Times Jun 1989-2002/Jul 24
       12
            718: Pittsburgh Post-Gazette Jun 1990-2002/Jul 25
            719: (Albany) The Times Union Mar 1986-2002/Jul 24
       16
            720: (Columbia) The State_Dec 1987-2002/Jul 24
            721: Lexington Hrld.-Ldr._1990-2002/Jul 24
Examined 500 files
            722: Cincinnati/Kentucky Post 1990-2002/Jul 24
            723: The Wichita Eagle 1990-2002/Jul 24
            724: (Minneapolis) Star Tribune 1989-1996/Feb 04
            725: (Cleveland) Plain Dealer Aug 1991-2000/Dec 13
       57
            727: Canadian Newspapers 1990-2002/Jul 25
       11
            728: Asia/Pac News 1994-2002/Jul W3
            731: Philad.Dly.News 1983- 2002/Jul 19
            732: San Francisco Exam. 1990- 2000/Nov 21
            733: The Buffalo News 1990- 2002/Jul 22
            734: Dayton Daily News Oct 1990- 2002/Jul 24
       39
            735: St. Petersburg Times 1989- 2000/Nov 01
            736: Seattle Post-Int._1990-2002/Jul 23
            738: (Allentown) The Morning Call 1990-2002/Jul 24
       10
            739: The Fresno Bee 1990-2002/Jul 11
       12
            740: (Memphis) Comm. Appeal 1990-2002/Jul 24
            741: (Norfolk)Led./Pil. 1990-2002/Jul 24
       16
            742: (Madison) Cap. Tim/Wi.St.J 1990-2002/Jul 24
            743: (New Jersey) The Record 1989-2002/Jul 24
            747: Newport News Daily Press 1994-2002/Jul 24
            748: Asia/Pac Bus. Jrnls 1994-2002/Jul 22
            750: Emerging Mkts & Middle East News 1995-2002/Jul 24
            755: New Zealand Newspapers 1995-2002/Jul 24
            757: Mirror Publications/Independent
                 Newspapers_2000-2002/Jul 25
            764: BCC Market Research_1989-2002/Jul
            765: Frost & Sullivan_1992-1999/Apr
            767: Frost & Sullivan Market Eng 2002/Jul
            774: EdgarPlus(TM)-Prospectuses 2002/Jul 25
       11
            775: EdgarPlus(TM)-Reg. Statements 2002/Jul 25
            776: EdgarPlus(TM)-6K,8K,& 10C Filings_2002/Jul 25
            777: EdgarPlus(TM)-Annual Reports 2002/Jul 25
            778: EdgarPlus(TM)-10-K & 20-F Filings 2002/Jul 25
            780: EdgarPlus(TM)-Proxy Statements 2002/Jul 25
Examined 550 files
       91
            781: ProQuest Newsstand 1998-2002/Jul 25
            788: (Myrtle Beach) The Sun News_1996-2002/Jul 21
            802: ONTAP(R) Boston Globe
            806: Africa News_1996-1999/May 26
            810: Business Wire 1986-1999/Feb 28
            813: PR Newswire 1987-1999/Apr 30
            861: UPI News 1996-1999/May 27
            929: Albuquerque Newspapers 1995-2002/Jul 24
            979: Milwaukee Jnl Sentinel Apr 1998-2002/Jul 24
            980: Sarasota Herald-Tribune_1996-2002/Jul 24
```

Processing Processing Processing

101 990: NewsRoom Current\_2002/Jul 25

```
s display in an abbreviated **
**** DIALINDEX search result
 *** format unless you enter the SET DETAIL ON command. ***
 ?sf all
  You have 565 files in your file list.
    (To see banners, use SHOW FILES command)
 ?s katz and telegenisys
 Your SELECT statement is:
    s katz and telegenisys
            Items
                    File
            - - - - -
                    16: Gale Group PROMT(R)_1990-2002/Jul 25
        Examined 50 files
        Examined 100 files
                1 148: Gale Group Trade & Industry DB 1976-2002/Jul 25
        Examined 150 files
        Examined 200 files
                1 275: Gale Group Computer DB(TM) 1983-2002/Jul 25
        Examined 250 files
        Examined 300 files
        Examined 350 files
                1 553: Wilson Bus. Abs. FullText_1982-2002/May
        Examined 400 files
        Examined 450 files
        Examined 500 files
        Examined 550 files
    4 files have one or more items; file list includes 565 files.
 ?b 16, 148,275,553
        25jul02 15:32:10 User259895 Session D27.4
                      2.243 DialUnits File411
             $3.93
      $3.93 Estimated cost File411
     $0.43 TELNET
$4.36 Estimated cost this search
$10.23 Estimated total session cost 5.273 DialUnits
 SYSTEM:OS - DIALOG OneSearch
   File 16:Gale Group PROMT(R) 1990-2002/Jul 25
          (c) 2002 The Gale Group
   File 148:Gale Group Trade & Industry DB 1976-2002/Jul 25
          (c) 2002 The Gale Group
   File 275:Gale Group Computer DB(TM) 1983-2002/Jul 25
          (c) 2002 The Gale Group
   File 553: Wilson Bus. Abs. FullText 1982-2002/May
          (c) 2002 The HW Wilson Co
       Set Items Description
            ----
                   _____
 ?s katz and telegenisys
            34418 KATZ
               27 TELEGENISYS
               4 KATZ AND TELEGENISYS
```

?t s1/kwic/1-4

```
*** DIALINDEX search resu
                           s display in an abbreviated ***
*** format unless you enter the SET DETAIL ON command. ***
   You have 565 files in your file list.
   (To see banners, use SHOW FILES command)
?s lodging()data()center
Your SELECT statement is:
   s lodging()data()center
           Items
                  File
           ____
                  15: ABI/Inform(R) 1971-2002/Jul 25
                   16: Gale Group PROMT(R) 1990-2002/Jul 25
       Examined 50 files
       Examined 100 files
              1 148: Gale Group Trade & Industry DB 1976-2002/Jul 25
       Examined 150 files
       Examined 200 files
       Examined 250 files
              2
                  416: DIALOG COMPANY NAME FINDER (TM) 2001/Aug
       Examined 300 files.
       Examined 350 files
                  553: Wilson Bus. Abs. FullText 1982-2002/May
       Examined 400 files
       Examined 450 files
       Examined 500 files
       Examined 550 files
   5 files have one or more items; file list includes 565 files.
PLEASE ENTER A COMMAND OR BE LOGGED OFF IN 5 MINUTES
?b 15, 16, 148, 416, 553
       25jul02 15:44:09 User259895 Session D27.6
           $16.63
                   9.503 DialUnits File411
    $16.63 Estimated cost File411
    $2.38 TELNET
    $19.01 Estimated cost this search
    $32.32 Estimated total session cost 15.039 DialUnits
SYSTEM:OS - DIALOG OneSearch
  File 15:ABI/Inform(R) 1971-2002/Jul 25
         (c) 2002 ProQuest Info&Learning
*File 15: SELECT IMAGE AVAILABILITY FOR PROQUEST FILES
ENTER 'HELP PROQUEST' FOR MORE
 File 16:Gale Group PROMT(R) 1990-2002/Jul 25
         (c) 2002 The Gale Group
 File 148:Gale Group Trade & Industry DB 1976-2002/Jul 25
         (c)2002 The Gale Group
 File 416:DIALOG COMPANY NAME FINDER (TM)
         (c) 2000 Dialog Info.Svcs.
 File 553: Wilson Bus. Abs. FullText 1982-2002/May
         (c) 2002 The HW Wilson Co
     Set Items Description
      --- ----
                -------
?s lodging()data()center
          78360 LODGING
        3954451 DATA
        2503194 CENTER
```

11 LODGING()DATA()CENTER

```
s display in an abbreviated **
*** DIALINDEX search resu
*** format unless you enter the SET DETAIL ON command. ***
   You have 565 files in your file list.
   (To see banners, use SHOW FILES command)
?s john()colgan()systems
Your SELECT statement is:
   s john()colgan()systems
           Items
                   File
           _ _ _ _
       Examined 50 files
       Examined 100 files
       Examined 150 files
       Examined 200 files
       Examined 250 files
       Examined 300 files
       Examined 350 files
       Examined 400 files
       Examined 450 files
       Examined 500 files
       Examined 550 files
   No files have one or more items; file list includes 565 files.
?s essential()micro()systems
Your SELECT statement is:
   s essential()micro()systems
           Items
                   File
           ____
       Examined 50 files
       Examined 100 files
       Examined 150 files
```

1 file has one or more items; file list includes 565 files.

```
Items
            File
            20: Dialog Global Reporter 1997-2002/Jul 25
       1
           47: Gale Group Magazine DB (TM) 1959-2002/Jul 25
        6
Examined 50 files
            88: Gale Group Business A.R.T.S. 1976-2002/Jul 25
           120: U.S. Copyrights_1978-2002/Jul
       13
Examined 100 files
           148: Gale Group Trade & Industry DB 1976-2002/Jul 25
        1
           149: TGG Health&Wellness DB(SM) 1976-2002/Jul W2
        1
Examined 150 files
           226: TRADEMARKSCAN(R)-US FED OG=020723/AP=020603
Examined 200 files
           345: Inpadoc/Fam.& Legal Stat 1968-2002/UD=200228
        1
Examined 250 files
           416: DIALOG COMPANY NAME FINDER (TM) 2001/Aug
Examined 300 files
            442: AMA Journals_1982-2002/Jun B3
            492: Arizona Repub/Phoenix Gaz_19862002/Jan 06
           494: St LouisPost-Dispatch_1988-2002/Jul 25
        1
Examined 350 files
           518: D&B-Int.Dun's Market Identifiers(R) 2002/May
        1
            519: D&B-Duns Finan.Records Plus(TM) 2002/Jan
            544: SEC Online (TM) Proxy Repts 1997/Sep W3
       12
            547: Experian Business Credit Profiles 2002/Jul W4
            560: Spokane Spokesman-Review 1994-2002/Jul 20
Examined 400 files
            633: Phil.Inquirer 1983-2002/Jul 23
            638: Newsday/New York Newsday_1987-2002/Jul 24
        1
            641: Rocky Mountain News_Jun 1989-2002/Jul 24
            645: Contra Costa Papers 1995- 2002/Jul 23
Examined 450 files
            648: TV and Radio Transcripts 1997-2002/Jul W3
            702: Miami Herald 1983-2002/Jul 24
        1
            704: (Portland) The Oregonian 1989-2002/Jul 24
        1
            708: Akron Beacon Journal 1989-2002/Jul 21
            714: (Baltimore) The Sun 1990-2002/Jul 24
        1
            716: Daily News Of L.A. 1989-2002/Jul 24
        1
            719: (Albany) The Times Union Mar 1986-2002/Jul 24
       10
            721: Lexington Hrld.-Ldr._1990-2002/Jul 24
        1
            722: Cincinnati/Kentucky Post_1990-2002/Jul 24
        1
Examined 500 files
            725: (Cleveland) Plain Dealer Aug 1991-2000/Dec 13
            727: Canadian Newspapers 1990-2002/Jul 25
            731: Philad.Dly.News 1983- 2002/Jul 19
            735: St. Petersburg Times 1989- 2000/Nov 01
            741: (Norfolk)Led./Pil._1990~2002/Jul 24
            743: (New Jersey) The Record 1989-2002/Jul 24
            781: ProQuest Newsstand_1998-2002/Jul 25
Examined 550 files
```

37 files have one or more items; file list includes 565 files.

```
ra Costa Papers 1995- 2002/Jul
Examined 450 files
            647: CMP Computer Fulltext 1988-2002/Jul W3
            649: Gale Group Newswire ASAP(TM) 2002/Jul 24
            652: US Patents Fulltext 1971-1975
            670: LitAlert 1973-2002/UD=200229
        1
            702: Miami Herald 1983-2002/Jul 24
        2
            704: (Portland) The Oregonian 1989-2002/Jul 24
        1
            706: (New Orleans) Times Picayune 1989-2000/Sep 15
        3
            707: The Seattle Times 1989-2002/Jul 24
            709: Richmond Times-Disp. 1989-2002/Jul 24
            710: Times/Sun.Times(London) Jun 1988-2002/Jul 24
            712: Palm Beach Post 1989-2002/Jul 09
            713: Atlanta J/Const. 1989-2002/Jul 25
            714: (Baltimore) The Sun 1990-2002/Jul 24
            717: The Washington Times Jun 1989-2002/Jul 25
            719: (Albany) The Times Union Mar 1986-2002/Jul 24
            721: Lexington Hrld.-Ldr. 1990-2002/Jul 24
            722: Cincinnati/Kentucky Post 1990-2002/Jul 24
            723: The Wichita Eagle 1990-2002/Jul 24
Examined 500 files
            725: (Cleveland) Plain Dealer Aug 1991-2000/Dec 13
            727: Canadian Newspapers 1990-2002/Jul 25
            731: Philad.Dly.News 1983- 2002/Jul 19
            732: San Francisco Exam. 1990- 2000/Nov 21
            733: The Buffalo News 1990- 2002/Jul 22
            734: Dayton Daily News Oct 1990- 2002/Jul 24
            735: St. Petersburg Times 1989- 2000/Nov 01
            741: (Norfolk)Led./Pil._1990-2002/Jul 24
            743: (New Jersey) The Record 1989-2002/Jul 24
            744: (Biloxi) Sun Herald 1995-2002/Jun 08
            757: Mirror Publications/Independent
                 Newspapers 2000-2002/Jul 25
            781: ProQuest Newsstand 1998-2002/Jul 25
       45
Examined 550 files
        2
            810: Business Wire_1986-1999/Feb 28
            813: PR Newswire 1987-1999/Apr 30
            980: Sarasota Herald-Tribune 1996-2002/Jul 24
            990: NewsRoom Current 2002/Jul 25
```

91 files have one or more items; file list includes 565 files.

```
File
    Items
            9: Business & Industry(R)_Jul/1994-2002/Jul 24
             15: ABI/Inform(R)_1971-2002/Jul 25
             16: Gale Group PROMT(R) 1990-2002/Jul 25
       12
             20: Dialog Global Reporter 1997-2002/Jul 25
       56
Examined 50 files
             88: Gale Group Business A.R.T.S._1976-2002/Jul 25
            112: UBM Industry News 1998-2002/Jul 25
            120: U.S. Copyrights 1978-2002/Jul
Examined 100 files
            133: S&P's Corp.Descrip.+News 2002/Jul 20
            147: The Kansas City Star 1995-2002/Jul 25
            148: Gale Group Trade & Industry DB 1976-2002/Jul 25
Examined 150 files
            262: CBCA Fulltext_1982-2002/Jul
Examined 200 files
            275: Gale Group Computer DB(TM)_1983-2002/Jul 25
        1
            287: Biography Master Index_1980-2001
            345: Inpadoc/Fam.& Legal Stat_1968-2002/UD=200228
            348: EUROPEAN PATENTS_1978-2002/Jul W02
        1
Examined 250 files
           392: Boston Herald 1995-2002/Jul 25
            416: DIALOG COMPANY NAME FINDER (TM) 2001/Aug
            421: REMARC pre1900 1986/Jul
            427: Fort Worth Star-Telegram 1993-2002/Jul 24
        1
Examined 300 files
            474: New York Times Abs 1969-2002/Jul 24
            477: Irish Times 1999-2002/Jul 25
       17
            479: Gale Group Company Intelligence (R) 2002/Jul 25
            483: Newspaper Abs Daily 1986-2002/Jul 19
        3
            484: Periodical Abs Plustext 1986-2002/Jul W2
            485: Accounting & Tax DB 1971-2002/Jul W1
        1
            489: The News-Sentinel 1991-2002/Jul 24
        1
            492: Arizona Repub/Phoenix Gaz_19862002/Jan 06
            494: St LouisPost-Dispatch 1988-2002/Jul 25
            515: D&B-Dun's Elec. Bus. Dir. (TM) 2000/11
            516: D & B - Duns Market Identifiers 2002/Jun
Examined 350 files
            518: D&B-Int.Dun's Market Identifiers(R) 2002/May
            519: D&B-Duns Finan.Records Plus(TM)_2002/Jan
            520: D&B-Canadian Dun's Mkt. Ident.(R) 2002/06
        1
            527: S&P's Register-Corp._2002/Apr
            531: Amer. Bus. Directory 2002/Jun
            540: TFSD Ownership Database 2002/Jun
        1
            541: SEC Online (TM) Annual Repts 1997/Sep W3
            542: SEC Online (TM) 10-K Reports 1997/Sep W3
        5
            545: Investext(R) 1982-2002/Jul = 25
       29
            547: Experian Business Credit Profiles 2002/Jul W4
            549: Insider Trading Mon._1984-2002/Mar 29
553: Wilson Bus. Abs. FullText_1982-2002/May
            570: Gale Group MARS(R) 1984-2002/Jul 25
            582: Augusta Chronicle 1996- 2002/Jul 24
Examined 400 files
            603: Newspaper Abstracts 1984-1988
            608: KR/T Bus.News._1992-2002/Jul 25
            619: Asia Intelligence Wire 1995-2002/Jul 24
            621: Gale Group New Prod. Annou. (R) 1985-2002/Jul 24
            624: McGraw-Hill Publications 1985-2002/Jul 25
            625: American Banker Publications_1981-2002/Jul 18
            631: Boston Globe_1980-2002/Jul 24
            633: Phil.Inquirer_1983-2002/Jul 23
            635: Business Dateline(R) 1985-2002/Jul 25
            636: Gale Group Newsletter DB(TM) 1987-2002/Jul 25
            637: Journal of Commerce_1986-200\overline{2}/Jul 23
            638: Newsday/New York Newsday_1987-2002/Jul 24
```

Your SELECT statement is:
s (john(1n)colgan) and (david(1n)rinaldi)

Items	3 1	File
		<b>-</b> -
Examined	50	files
Examined	100	files
Examined	150	files
Examined	200	files
Examined	250	files
Examined	300	files
Examined	350	files
Examined	400	files
Examined	450	files
Examined	500	files
Examined	550	files

No files have one or more items; file list includes 565 files.

```
Your SELECT statement is
   s (automatic()time()monitor) and colgan
          Items File
      Examined 50 files
              1 120: U.S. Copyrights_1978-2002/Jul
      Examined 100 files
      Examined 150 files
      Examined 200 files
      Examined 250 files
      Examined 300 files
      Examined 350 files
      Examined 400 files
      Examined 450 files
      Examined 500 files
      Examined 550 files
   1 file has one or more items; file list includes 565 files.
?b 120
       25jul02 16:17:19 User259895 Session D27.10
          $46.48
                  26.561 DialUnits File411
    $46.48 Estimated cost File411
    $3.90 TELNET
    $50.38 Estimated cost this search
   $113.11 Estimated total session cost 52.819 DialUnits
File 120:U.S. Copyrights 1978-2002/Jul
       (c) format only 2002 The Dialog Corp.
     Set Items Description
?t s1/full/1
S1/FULL/1
>>>Set 1 does not exist
?s (automatic()time()monitor) and colgan
           4181 AUTOMATIC
         159028 TIME
            7605 MONITOR
              1 AUTOMATIC (W) TIME (W) MONITOR
            151 COLGAN
              1 (AUTOMATIC()TIME()MONITOR) AND COLGAN
?t s1/full/1
```

Your SELECT statement is.
s telegenisys and time and attendance

```
File
    Items
    ____
        1 15: ABI/Inform(R)_1971-2002/Jul 25
2 16: Gale Group PROMT(R)_1990-2002/Jul 25
Examined 50 files
Examined 100 files
Examined 150 files
Examined 200 files
Examined 250 files
Examined 300 files
Examined 350 files
        1
            553: Wilson Bus. Abs. FullText_1982-2002/May
Examined 400 files
Examined 450 files
Examined 500 files
Examined 550 files
```

3 files have one or more items; file list includes 565 files.



Day: Thursday Date: 7/25/2002 Time: 16:15:27

# Assignor/Assignee Name Search Result

Your Search was:

Assignor/Assignee's Name = TELEGENISYS

Assignor Names

Assignee Names

Search Another: Assignor/Assignee's Name TELEGENIX, INC. Search

(To Go BACK Use BACK Button on Your BROWSER Tool Bar)

Back to || ASSIGNMENT || PALM || OASIS || Home Page



Day: Thursday Date: 7/25/2002 Time: 16:15:18

# Assignor/Assignee Name Search Result

Your Search was:

Assignor/Assignee's Name = LODGING DATA CENTER

Assigner Names Assignee Names

Search Another: Assignor/Assignee's Name LODGNET ENTERTAINMENT COR

Search

(To Go BACK Use BACK Button on Your BROWSER Tool Bar)

Back to | ASSIGNMENT | PALM | OASIS | Home Page



Day: Thursday Date: 7/25/2002 Time: 16:15:36

# Assignor/Assignee Name Search Result

Your Search was:

Assignor/Assignee's Name = TELEGENYSIS

**Assignor Names Assignee Names** 

Search Another: Assignor/Assignee's Name TELEGLOBE HOLDING CORP.

Search

(To Go BACK Use BACK Button on Your BROWSER Tool Bar)

Back to || ASSIGNMENT || PALM || OASIS || Home Page

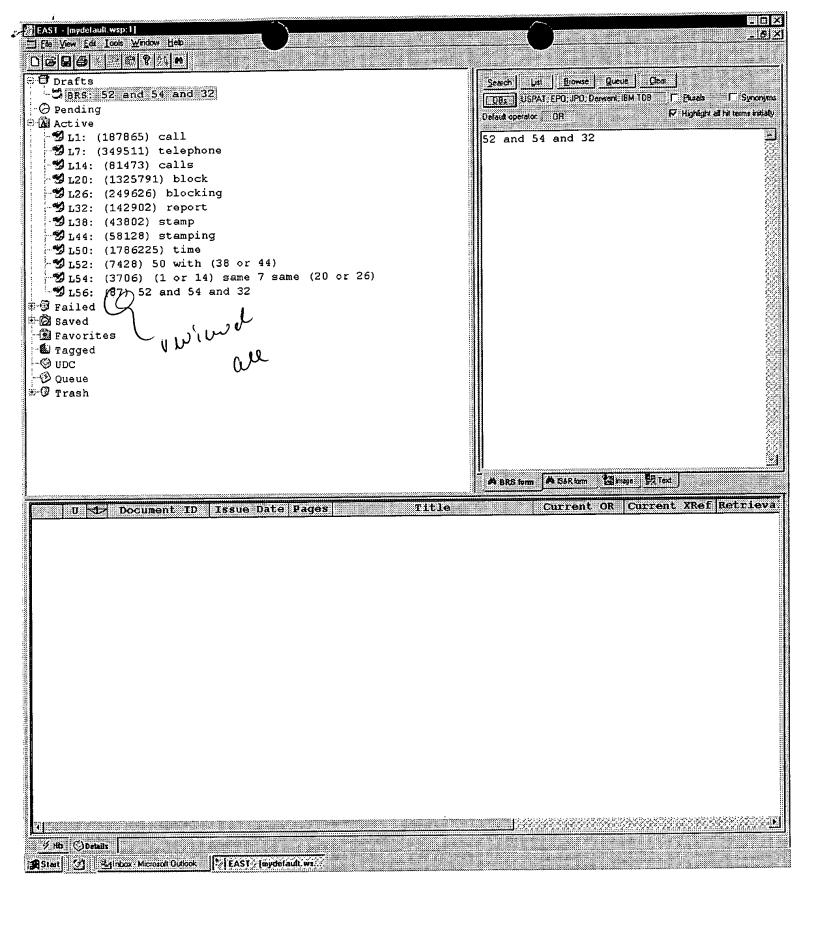
L Number	Hits	Search Text	DB	Time stamp
1	0	telegenisys	USPAT	2002/07/25 16:13
2	o	telegenisys.as.	USPAT	2002/07/25 16:15
3	0	telegenysis	USPAT	2002/07/25 16:16
4	0	lodging near data near center	USPAT	2002/07/25 16:16
5	o	lodging.as.	USPAT	2002/07/25 16:16
6	1	merani.in.	USPAT	2002/07/25 16:17
7	0	timeclerk	USPAT	2002/07/25 16:17
9	o	timeclerktm	USPAT	2002/07/25 16:17
8	55	time near clerk	USPAT	2002/07/25 16:18

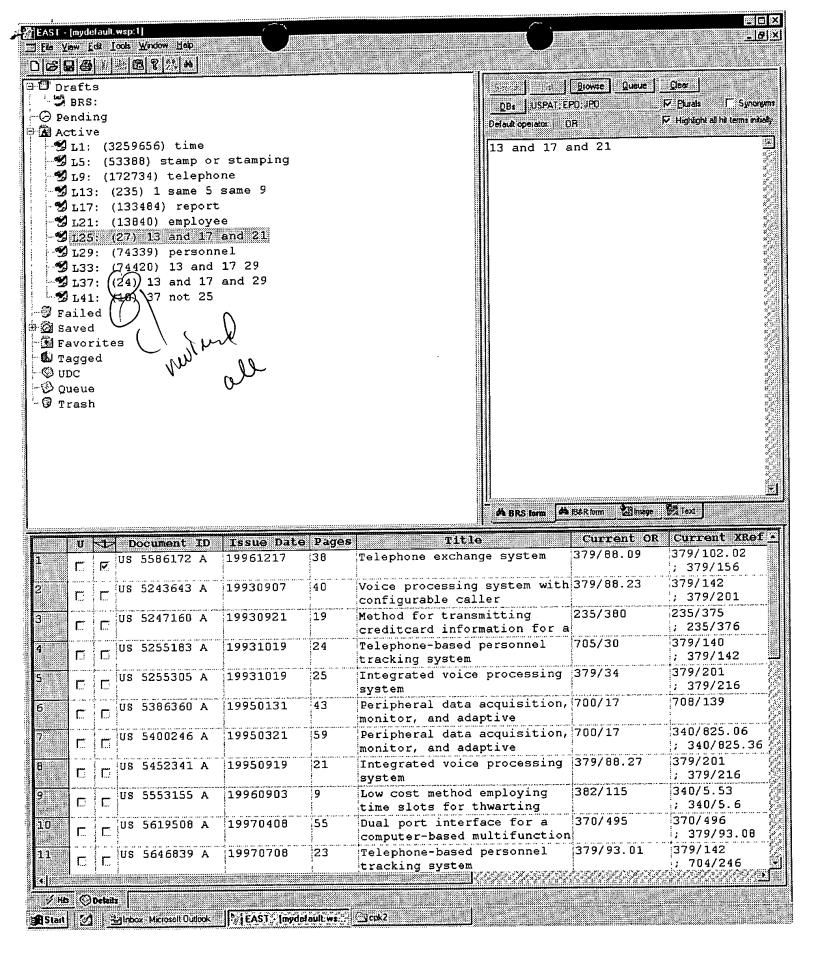
L Number	Hits	Search Text	DB	Time stamp
1		time same attendance same (telephone or phone)	USPAT; EPO; JPO; DERWENT; IBM TDB	2002/07/25 17:28

1 v wind

Search History 7/25/02 6:17:35 PM C:\APPS\EAST\Workspaces\mydefault.wsp

Page 1





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Save Link Saves this search as a Durable Link under "Results-Marked List"

Searching collections: All Collections

Show total number of articles

Text Version

?Help



**Search Results** 

At	least	2	articles	matched	vour	search.
~.	icast	_	ai cicics	macciica	y ou:	scareii.

1.			Office technology; Barth, Claire; Management Accounting, Montvale; Jan 1994; Vol. 75, Iss. 7; pg. 63, 3 pgs
<u> </u>			Musicians proud to add to community fair; [UNION, 1,2,3,4,5,6 Edition]; George Varga; The San Diego Union - Tribune, San Diego, Calif.; Aug 26, 1988; pg. E.9
<u>Exp</u>	lain Ic	<u>ons</u>	
Enter a	word	d, word	ds or specific phrase.
time A	ND a	ttenda	nce AND trax AND PDN(<10/01/1994) Search
Date ra	inge:	[E	Backfile (1986 - 1998) □
Publicatype:	ation		Article text
Search	in:	[2	Article text S
		[	Show results with full text availability only
		[	Show peer reviewed publications

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Save Link Saves this search as a Durable Link under "Results-Marked List"

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?Help



**Search Results** 

At least 9 articles matched your search.

AL 1	Cu	36 .			es materica your scaren.						
	1.			<b>16</b> 38	Reshaping the American hospital; Weber, David O; The Healthcare Forum Journal, San Francisco; Sep/Oct 1994; Vol. 37, Iss. 5; pg. SS1, 12 pgs						
	2.	₽		<b>1</b>	Paying students for doing their homework; McNerney, Donald J; HR Focus, New York; Jul 1994; Vol. 71, Iss. 7; pg. 21, 1 pgs						
	3.	<u> </u>		<b>1</b>	Plastic with a brain; Ali, Mir F; CMA, Hamilton; May 1994; Vol. 68, Iss. 4; pg. 11, 3 pgs						
	4.			<b>16</b> 33	HRM - A service perspective: Towards a customer-focused HRM; Schneider, Benjamin; International Journal of Service Industry Management, Bradford; 1994; Vol. 5, Iss. 1; pg. 64, 13 pgs						
	5.	₽			<u>Time and Attendance Management System (TAMS)</u> ; <i>Anonymous</i> ; <b>ACA News</b> , Scottsdale; Aug 1993; Vol. 36, Iss. 8; pg. 16						
	6.	₽			Advances in Time-Management Technology May Stop the Traditional Time Clock; Marinko, Barbara A.; Hotel And Motel Management, Duluth; Sep 7, 1992; Vol. 207, Iss. 15; pg. 31, 3 pgs						
	7.	<b>□</b>			CDC poison pill proposal defeated; [METRO Edition]; Steve Gross; Star Tribune, Minneapolis, Minn.; May 2, 1991; pg. 01.D						
	8.	₽			LOCALS SHARE THEIR `BESTS'; [FINAL Edition]; NANCY GRIFFIN; Seattle Times, Seattle, Wash.; Sep 9, 1990; pg. J.1						
	9.	₽			Absentee Workers; Anonymous; Incentive Marketing, New York; Oct 1986; Vol. 160, Iss. 10; pg. 12, 2 pgs						
	Ex	plain	Icons								
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				Γ.	Show results with full text availability only						
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- If you're searching Current (years), try the same search against the Backfile or vice-versa.
- If you're searching only one or two collections, use Change Collection to add another or search ALL available collections.
- · Remove any limit to Full text articles or Peer reviewed.
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- Use Natural Language Search to enter a question in everyday English.
- Use the Topic Search to find articles relevant to what you are looking for.

Enter a word, words or specific phrase.

"automatic tim	ne moni	tor"	Sear	ch)
Date range:	Bac	kfile (1986 - 1998)	<b>.</b>	
Publication type:	All		[2].	
Search in:	Artic	cle text	Œ	
		Show results with full	text availability only	
		Show peer reviewed	publications	
		Show total number of	farticles	

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Databases: Business Source Corporate

Find: automatic time monitor

Search

O Standard Search O All Words (AND) O Any Words (OR) © Exact Phrase

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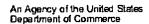
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- Try using different or more general words.

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•	
Limit Your Results:	Expand Your Search:
☐ Full Text	☐ Also search for related words
Published Date: Month Yr: to Month Yr:	☑ Also search within the full text of the articles
Journal Title:	
☐ Scholarly (Peer Reviewed) Journals	







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Advanced Search: INSPEC - 1969 to date (INZZ)

LIMIT

Search history:

No.	Database	Search term	Info added since	Results	
1		automatic ADJ near1 ADJ time ADJ near1 ADJ monitor AND colgan	unrestricted	0	-
2	INZZ	automatic ADJ time ADJ monitor AND colgan	unrestricted	0	-

hide history

Enter your search term(s): Search tips	
	whole document
Information added since: (YYYYMMDD)	SEARCH

Select special search terms from the following list(s):

- Classification codes A: Physics, 0-1
- Classification codes A: Physics, 2-3
- Classification codes A: Physics, 4-5
- Classification codes A: Physics, 6
- Classification codes A: Physics, 7
- Classification codes A: Physics, 8
- Classification codes A: Physics, 9
- Classification codes B: Electrical & Electronics, 0-5
- Classification codes B: Electrical & Electronics, 6-9
- Classification codes C: Computer & Control, 0-9
- Classification codes D: Information Technology, 0-9
- Treatment codes
- INSPEC sub-file
- Publication types
- Language of publication

# **Results list**

HELP ?
ALL databases

1 articles matched your search.

1. 🗈 🖺	Straight arrow; D 43, Iss. 1; pg. 21		y Management, Arlington; Jan 1999; Vol.
Enter a word or ph	1asc	IDED (HATURAL LANGUAGE)	Search
Date range: Publication type:	Backfile (1986 - 199	8) ▼	Limit to:  Full text articles  Peer reviewed
Search in:	Article text		Show number of articles
Search Wizard	Subject List	Your Recent Searches	Searching: ALL databases Change Database

**Results list** 



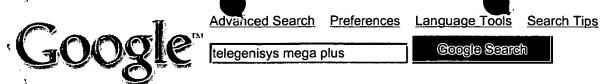
# 1 articles matched your search.

1. The time clock punches out; Ruth E Thaler-Carter; HRMagazine, Alexandria; Dec 1998; Vol. 43, Iss. 13; pg. S16, 7 pgs

Enter a word or ph	rase: BASIC GUI	DED (HATURAL LANGUAGE)	
"telephone ti	mekeeping"		Search
Date range: Publication type:	Backfile (1986 - 1998	)	Limit to:  Full text articles  Peer reviewed
Search in:	Article text	▼	Show number of articles
Search Wizard	Subject List	Your Recent Searches	Searching: <b>ALL databases</b> <u>Change Database</u>

p16, 7p

2.



Web Images Groups Directory
Searched the web for telegenisys mega plus.

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Category: Regional > North America > ... > Massachusetts > Localities > B > Bellingham

### Reader Replies

... color is great, and the monitor has three reference levels ... 10-30 minutes at a time, and output these to tape ... I pass the output through aTM2000 for some of the ... www.egyptian.net/~raymacke/Buz/Replies.htm - 16k - Cached - Similar pages

## <u>гръг</u> <u>www.cena.dgac.fr/divisions/ICS/docpub/atm2</u>000/paper89/paper.pdf

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... R&D directions are followed at that time to enhance ATC in order to ... required skills are not anymore to monitor, construct mentally a situation, but to ... www.cena.dgac.fr/divisions/ICS/docpub/atm2000/paper89/nt00-224.htm - 41k - Cached - Similar pages

## IPDFI www.bellinghamma.org/tclerk/atm2000.pdf

... for the daily monitor of consumption and discharge. Section 19.04.030. Fees, Costs, & Penalties: A fee of \$1,000.00 must be paid at the time of the application ... Text version - Similar pages

### Untitled

...???????????? monitor?? accounting error ... TT, TPGID, STDT, UID, TIME?? ?? ?? ... guest -->guest123 atm2000(210.125.86.96 ... radia.kangnung.ac.kr/unix.htm - 49k - Cached - Similar pages

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... terms of the and monitor conflicts between aircraft. The ... on exploring more interaction. ATM2000 R&D seminar. Napoli june ... people gave their time and ideas and ... Text version - Similar pages

## IPDEL atm-seminar-2000.eurocontrol.fr/acceptedpapers/pdf/paper54.pdf

... to the DAP requirements ATM2000 conference). of the tools to ... developments. His spare time is wasted photographing ... FPM Flight Path Monitor GICB Ground-Initiated ... Text version - Similar pages

## IPDF] www.ccrl.nj.nec.com/papers/2000-C023-v1.pdf

... then each input port can monitor the bandwidth usage of ... reservations as far as time slots n in the ... speed optical switches," in ATM2000 High Performance 80 CORPS ... Text version - Similar pages

### IPPFI www.eurocontrol.be/projects/eatchip/efdas/documents/TORCH 22DA 22%20.pdf

... 1.0 30-10-98. [ATM2000] EUROCONTROL, ATM strategy for ... development of related concepts. monitor the evolution of ... Europe in real time through enhanced situation ... Text version - Similar pages





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... or expected) approach time EATCHIP European ATC ... System Under EUROCONTROL's ATM2000 initiative. EBCDIC extended binary ... centralised aircraft monitor ECASBA EU ... Text version - Similar pages

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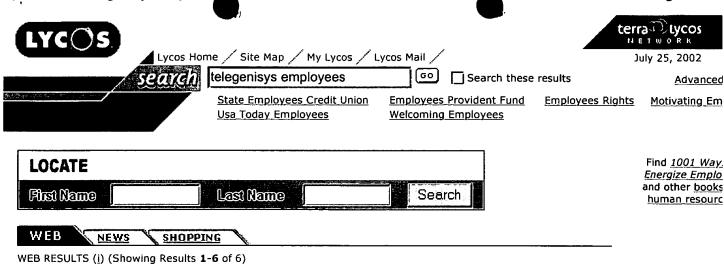


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More results from: http://www.tmcnet.com/ccs/0696/ccnews.htm

3. HotelQuest International Turns Two; Large Hotel Room Consolidator... Fast Forward » -...internship program that will train community college students. Employees who moved from the former Pleasant Hill location are pleased...individuals. The firm, a spin-off of the technology company...

http://news.excite.ca/news/bw/010820/ca-hotelquest

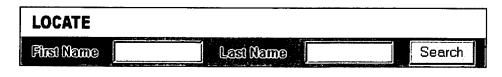
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